

United States District Court
Central District of California

LUIS VILLEGAS,

Plaintiff,

v.

HEAVENLY MOUNTAIN, LLC, a
California Limited Liability Company;
STARBUCKS CORPORATION, a
Washington Corporation; and Does 1-10,

Defendants.

Case № 2:18-cv-06716-ODW (PLAx)

JUDGMENT

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On April 26, 2021, the Court issued an Order Granting Defendant's Motion for Summary Judgment and Denying Plaintiff's Motion for Summary Judgment. (Order, ECF No. 63.) In that Order, the Court ordered Plaintiff to file a properly noticed motion for default judgment as to Defendant Heavenly Mountain no later than May 17, 2021. (*Id.* at 9.) The Court warned that failure to comply with the Order may result in dismissal of all claims against Heavenly Mountain, without further warning, for lack of prosecution and failure to comply with the Court's orders. (*Id.*) To date, the Plaintiff has not filed any such motion or any other response to the Court's Order. Accordingly, pursuant to Federal Rule of Civil Procedure 41(b), all claims against Heavenly Mountain are hereby **DISMISSED**.

Consequently, as no claims remain to be litigated, and in light of the Court's April 26, 2021 Order, it is hereby **ORDERED, ADJUDGED, and DECREED** that Judgment is entered in favor of Defendant Starbucks Corporation on all of Plaintiff Luis Villegas's claims in this action.

16 All dates and deadlines in this action are hereby **VACATED**, and the Clerk of
17 the Court shall close this case.

19 **IT IS SO ORDERED.**

21 May 18, 2021

OTIS D. WRIGHT, II
UNITED STATES DISTRICT JUDGE